

NOV 10 2004
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TRANSMITTAL FORM

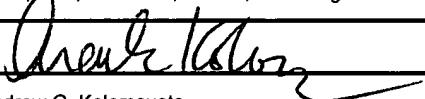
(to be used for all correspondence after initial filing)

	Application Number	10/618,353
	Filing Date	July 11, 2003
	First Named Inventor	Jean-Marie Mathias
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	F-5932

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		
Other Enclosures: - Response To Notice To File Missing Parts of Non-Provisional Application - Copies of return postcard and check. - Part 2 - Notice To File Missing Parts - Return Postcard - Declaration as previously filed		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd.		
Signature			
Printed name	Andrew G. Kolomayets		
Date	November 10, 2004	Reg. No.	33,723

CERTIFICATE OF TRANSMISSION/MAILING EV 459447616 US

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as ~~first class mail~~ in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Express Mail

Signature			
Typed or printed name	Armando Ching	Date	November 10, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT
Attorney Docket No. F-5932

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:)
Jean-Marie Mathias)
)
Serial No.: 10/618,353)
)
Filed: July 11, 2003)
)
Examiner:)
)
Group Art Unit:)
)
Title: NEEDLE PROTECTOR)

CERTIFICATE OF MAILING	
BY "EXPRESS MAIL"	
"Express Mail" Mailing Label: <u>EV459447616US</u>	
Date of Deposit: <u>November 10, 2004</u>	
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office Box Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
NAME	<u>Armando Ching</u> (TYPED OR PRINTED)
SIGNATURE 	

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILING MISSING PARTS
OF NON-PROVISIONAL APPLICATION

Sir/Madam:

In response to the Notice to File Missing Parts in the above-identified patent application, Applicants hereby call the attention of the Patent Office to the fact that a duly executed Declaration and a surcharge fee were submitted to the U.S. Patent Office on December 4, 2003. Applicant's return postcard (enclosed) acknowledges receipt of the same by the U.S. Patent Office.

Applicant hereby resubmits the Declaration. A copy of the Notice To File Missing Parts is also enclosed.

In view of the prior submission, Applicant respectfully submits that no further fees are required. However, if a required fee has been overlooked or is, in fact, due, the Office is authorized to charge our Deposit Account No. 50/1039 for any such fee.

Respectfully submitted,



Andrew G. Kolomayets
Registration No. 33,723

COOK, ALEX, MCFARRON, MANZO,
CUMMINGS & MEHLER, LTD.
200 West Adams Street - #2850
Chicago, IL 60606
(312) 236-8500

IFU



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/618,353	07/11/2003	Jean-Marie Mathias	F-5932

Michael C. Mayo
Baxter Healthcare Corporation
Law/Transfusion Therapies Division, RLP-30
P.O. Box 490, Rt. 120 and Wilson Road
Round Lake, IL 60073

CONFIRMATION NO. 6728
FORMALITIES LETTER



OC000000014143345

Date Mailed: 10/20/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

Replies should be mailed to: Mail Stop Missing Parts
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Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

[Signature]
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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CC ALEX, M DARRON,
MANZO, CUMMING & MEHLER

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ENCLOSURES: EV321711083US

- () Application _____
() Specification _____ pages
() Claims _____ pages
() Abstract _____ page(s)
() Drawing Sheets no. _____ (F) _____ (INF) _____
(✓) Transmittal Letter
(✓) Check \$ 130.00 No: 15260
(✓) Declaration/Oath COMBINED DECLARATION &
() Assignment and Cover Sheet POWER OF ATTORNEY
() Information Disclosure Statement
() Response/Amendment
() Extension of Time (In Duplicate) DEC 04 2003
() Small Entity Status
() Copy of Priority Document
(✓) Fee Transmittal (In Duplicate)
(✓) COPY OF NOTICE TO FILE MISSING PARTS

RE: APPLICATION ATTY/SEC: AGK/cab
File no: F-5932

Applicant: JEAN-MARIE MATHIAS

S.N.: 10/618,353 Filing Date: 07/11/2003

Title: NEEDLE PROTECTOR

Due date: 12/08/2003 Date Sent: 12/04/2003
0360-0126.01

Baxter

0360-0126.01

G.W.M/AGK

COOK ALEX MCFARRON I. MANZO
CUMMINGS & MEHLER, LTD.

200 W. ADAMS ST. • SUITE 2850
CHICAGO, ILLINOIS 60606
(312) 236-8500 • FED. ID NO. 36-4307193

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MEMO Atty Docket No. F-5932

*Alexander
Edward S. Manzo*

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12/4/2003 Commissioner for Patents

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12/4/2003 agk-cab - Surcharge payment for

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